

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

**NATIONAL LABOR  
RELATIONS BOARD**

**Petitioner,**

**No. 19-2191**

**vs.**

**TECNOCAP, LLC**

**Respondent.**

**RESPONDENT TECNOCAP, LLC'S ANSWER  
TO APPLICATION FOR ENFORCEMENT OF AN ORDER  
OF THE NATIONAL LABOR RELATIONS BOARD**

Tecnocap, LLC, as the Respondent in the above-captioned case, hereby answers the Application for Enforcement filed by the National Labor Relations Board with respect to its Decision and Order issued on September 16, 2019, and states as follows:

Tecnocap admits that this Court has jurisdiction over the NLRB's application pursuant to Section 10(e) of the National Labor Relations Act, as amended, 29 U.S.C. § 160(e).

Tecnocap admits that venue in this Court is proper as alleged unfair labor practices occurred in West Virginia.

Tecnocap denies that the NLRB is entitled to enforcement of its Order. Tecnocap states that the basis of the Order was not supported by substantial evidence, was procedurally in error, and was contrary to the law.

Tecnocap further avers that the Court should deny enforcement of the Order on the grounds the Decision is not supported by controlling legal precedent.

Tecnocap avers that the Court should deny enforcement of the Order on the grounds that it is not rational or consistent with the National Labor Relations Act, as amended, 29 U.S.C. §§ 151, et. seq.

WHEREFORE, Tecnocap requests that this Court set aside and deny enforcement of the Order in its entirety.

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 8, 2019, I electronically filed the foregoing document with the Clerk of Courts for the United States Court of Appeals for the Fourth District by using the CM/ECF system. I certify that the foregoing document will be served via the CM/ECF system on the following counsel, who are registered CM/ECF users:

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